

fat, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 10 per cent of crude protein and not less than 2.5 per cent of crude fat, whereas, in truth and in fact, the said article did contain less than 10 per cent of crude protein and less than 2.5 per cent of crude fat.

On June 24, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9945. Adulteration and misbranding of evaporated apples. U. S. * * *
v. William J. Hamilton, Andrew C. Hamilton, Scott D. Hamilton,
Mrs. Katie Hamilton, Mrs. Roswell S. Lander, and Mrs. Leo Carothers
(A. C. Hamilton & Co.). Pleas of guilty. Fine, \$48. (F. & D. No. 14538. I. S. Nos. 3094-r, 7762-r, 7763-r.)

On or about May 28, 1921, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William J. Hamilton, Andrew C. Hamilton, Scott D. Hamilton, Mrs. Katie Hamilton, Mrs. Roswell S. Lander, and Mrs. Leo Carothers, trading as A. C. Hamilton & Co., Fayetteville, Ark., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about October 27, 1919, and February 20 and 25, 1920, respectively, from the State of Arkansas into the States of Colorado and Minnesota, respectively, of quantities of evaporated apples which were adulterated and misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for evaporated apples, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Evaporated Apples," borne on the boxes containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the said article was evaporated apples, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was evaporated apples, whereas, in truth and in fact, it was not evaporated apples but was a product containing added water.

On May 28, 1921, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$48.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9946. Adulteration and misbranding of egg noodle sticks. U. S. * * *
v. Lee Lan, Lee Ching Hong, Lee Tung, Long Pon, Leong Kong,
Fong Jung, Lee Kow, Lee Pong, Lee Fook, Lee Dat Chow, Lee
Wing, Mark Chung Mong, One Wah, Lee Leong, and Lee Young Lew
(Yat Gaw Min Co.). Pleas of guilty. Fine, \$25. (F. & D. No. 14540. I. S. No. 15216-r.)

On May 21, 1921, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lee Lan, Lee Ching Hong, Lee Tung, Long Pon, Leong Kong, Fong Jung, Lee Kow, Lee Pong, Lee Fook, Lee Dat Chow, Lee Wing, Mark Chung Mong, One Wah, Lee Leong, and Lee Young Lew, trading as the Yat Gaw Min Co., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about January 21, 1920, from the State of New York into the State

of Pennsylvania, of a quantity of egg noodle sticks which were adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained a small amount of coloring matter, probably saffron, and that it contained little, if any, egg.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, plain water noodles, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength; for the further reason that ordinary plain water noodles, containing little or no egg, had been substituted wholly or in part for "Egg Noodle Sticks," which the article purported to be; and for the further reason that it had been artificially colored in a manner whereby its inferiority to the article it purported to be, to wit, "Egg Noodle Sticks," was concealed.

Misbranding was alleged for the reason that the said article was labeled "Egg Noodle Sticks," so as to deceive and mislead the purchaser into the belief that it was "Egg Noodle Sticks," whereas, in truth and in fact, it was not egg noodle sticks but was a product composed of plain noodles, having therein an insufficient amount, if any, of egg. Misbranding was alleged for the further reason that the article was a product composed of plain or water noodles, artificially colored and prepared in imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Egg Noodle Sticks."

On May 23, 1921, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9947. Misbranding of grapes. U. S. * * * v. James Marcelletti. Plea of guilty. Fine, \$50. (F. & D. No. 14544. I. S. No. 635-t.)

On April 27, 1921, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James Marcelletti, Paw Paw, Mich., alleging shipment by said defendant, on or about September 18, 1920, in violation of the Food and Drugs Act, as amended, from the State of Michigan into the State of Illinois, of a quantity of grapes which were misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside thereof.

On June 7, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9948. Adulteration of coal-tar color. U. S. * * * v. 1 Can of Coal-Tar [Color]. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14615. I. S. No. 3226-t. S. No. E-3171.)

On March 11, 1921, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 can of coal-tar [color], remaining unsold in the original unbroken package at Mount Carmel, Pa., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about February 23, 1921, and transported from the State of Missouri into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that sodium chlorid and sodium sulphate had been mixed and packed with, and substituted